

PLANNING COMMISSION REPORT



MEETING DATE: February 8, 2006

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Monarch Property -new Monopalm Cell Site - 24-UP-2005

REQUEST

Request to approve a conditional use permit for an alternative concealment wireless communication facility as a fake palm tree located at 409 N. Scottsdale Road with Multiple Family Residential District (R-5) zoning.

Key Items for Consideration:

- This is the first time the City of Scottsdale has considered an application for a monopalm alternative concealment Wireless Communications Facility.
- A Conditional Use Permit is needed because the proposed 55-foot tall monopalm is greater than the allowed C-3 zoning district height of 36-feet.
- One Neighborhood Association has called for information about the proposal; no other inquiries have been received.

Related Policies, References:

Zoning Ordinance Article VII
Section 7.200.H.

OWNER

Monarch Holding Corp.
480-949-5115

APPLICANT CONTACT

Rulon Anderson
T-mobile
602-321-4903

LOCATION

405 N. Scottsdale Road

BACKGROUND

Zoning.

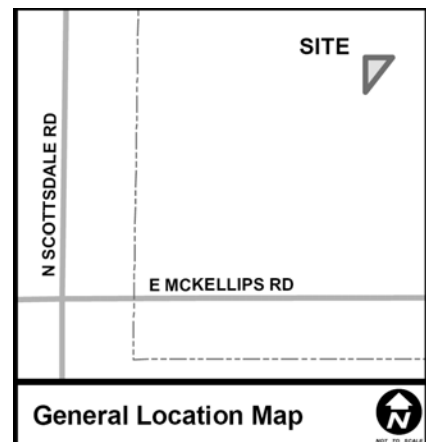
The site is zoned C-3 (Highway Commercial District). The C-3 zoning district allows commercial office and retail uses. Wireless Communications Facilities may be allowed, depending upon the type of wireless installation.

Context.

This site is located east of Scottsdale Road, on the north side of McKellips Road. This wireless facility lease site is part of a larger parcel that is improved with a hotel development. The wireless facility lease site is located within a landscape planter adjacent to a parking lot.

Adjacent Zoning and Uses:

- North: Single-family residential subdivision, zoned R1-7 (Single-family



residential 7,000 square feet).

- South: Commercial Shopping Center in the City of Tempe.
- East: Single-family residential subdivision, zoned R1-7 (Single-family residential 7,000 square feet).
- West: Commercial retail, zoned C-3 (Highway Commercial District).

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

This proposal is to install a 55-foot tall monopalm wireless communication facility within an 8-foot tall walled equipment enclosure. The wireless facility is shown on the site plan located within a landscape planter of an existing hotel, adjacent to a gasoline service station/car wash.

Development Information.

- Existing Use: Landscaping
- Proposed Use: Wireless Communications Facility
- Parcel Size: 16-foot by 16-foot lease area
- Building Height Allowed: 36-feet
- Proposed WCF Height: 55-feet

IMPACT ANALYSIS

Policy Implications.

Precedent

Because this is the first monopalm proposed in Scottsdale, it will contribute to the standard against which future requests for monopalms are measured.

Alternative Concealment Wireless Communications Facilities (WCF).

The Zoning Ordinance defines these facilities as: "...a freestanding unoccupied structure that camouflages, integrates, or conceals the presence of wireless communications facility antennas. Some examples include, but are not limited to, art/sculptures and artificial trees, cacti, and rock formations. This does not include antennas concealed in buildings and within flagpoles."

Background.

Scottsdale has a reputation for quality design and development. This is reflected by the community's efforts to improve upon past practices and design of WCF. In the year 2000, Scottsdale completed an effort to update the rules and regulations for WCF. That effort was revisited and in 2002 the Zoning Ordinance was amended with more specificity regarding WCF, including alternative concealment WCF. The objectives of the ordinance update were:

- To promote wireless communications within the City;
- To encourage wireless coverage for all areas of the City;
- To minimize the visual impacts to the environment; and
- To minimize the impacts to neighborhoods.

The adopted rules incorporate 4 Types, or categories, of WCF depending upon the visual exposure of the WCF. This application for a Type 4 WCF requires the highest level of review, a Conditional Use Permit.

Existing and Approved Alternative Concealment WCF.

There are three Alternative Concealment WCF existing in Scottsdale. These are faux cactus:

1. Located at the Apache Clubhouse in Desert Mountain. This is a 28-foot tall saguaro cactus constructed so that the faux cactus and its equipment shelter are integrated with the surrounding natural desert and landscaping.
2. Located at 112th Street and Cave Creek Road. This is a 30-foot tall saguaro cactus constructed so that the faux cactus and its equipment shelter are integrated with the surrounding natural desert and landscaping.
3. Located within the Troon Master Planned Community, at 114th Street and Dynamite Boulevard. This is a 25-foot tall saguaro cactus and shelter integrated with the surrounding desert and landscaping.

Another alternative concealment WCF was approved in November 2005 for a 24-foot high saguaro cactus integrated into the surrounding desert and natural landscaping within the Troon Master Planned Community at N. 115th Street and N. 115th Way. This facility has not yet been constructed.

The initial installation at Apache Clubhouse occurred in 2000. The design of the faux cactus at that time was very geometric and lacked a true natural form. Since then, the faux cactus design has improved with more natural forms that include cactus branches (arms). The WCF antennas installed within a faux cactus are entirely concealed and not visible.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **The application materials as presented do not propose impacts that generate noise, smoke, odor, dust or vibration.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **This facility does not generate daily traffic. Traffic to and from this use occurs only when maintenance or repair is needed.**
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - **There are no other factors that could be materially detrimental.**
- B. The characteristics of the proposed conditional use are reasonably

compatible with the types of uses permitted in the surrounding areas.

- **The land surrounding the lease area is commercially zoned and developed. The closest residential properties are approximately 340 feet away from the lease area (multi-family residential development is located at the northwest corner of McKellips Road and Scottsdale Road; and single-family residential development is located on the north and south sides of McKellips Road just east of the subject site's hotel development).**
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

L. *Wireless communications facility (WCF) type 4.*

1. All use permits shall be granted for a maximum of five (5) years from the date of City Council approval. The applicant shall be responsible for initiating a review of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the use permit. If a new use permit is not granted, the applicant shall be responsible for the removal of the facility. When a use permit is granted for a co-location on a facility with an existing use permit, the action of granting the new use permit shall extend the existing use permit so that they will expire simultaneously.
A 5-year time limitation is included in the stipulations. This proposal is not for co-location.
2. To the degree a proposed WCF meets height requirements set forth in this ordinance, no use permit shall be granted when heights are found to be intrusive, obtrusive or out of character with the surrounding area.
This alternative concealment WCF is a Type 4 application because the proposed 55-foot height is greater than the C-3 zoning allowance of 36-foot height for buildings. The facility will be visible from some portions of the adjacent properties and streets. There are palm trees that range from 30- to 58-feet in height nearby. In addition, the site plan shows that there is an existing 51-foot pine tree located approximately 100-feet northeast of the applicant's lease site. Other tall (40 to 50-foot) palm trees are near this lease site.
3. Antennas and pole diameters shall be harmonious with the existing context and not be intrusive or obtrusive on the landscape or views.
This facility is designed as a palm tree. There are tall palm trees and pine trees nearby with which this facility would be harmonious.
4. The shape of the WCF shall blend with other similar vertical objects and not be intrusive in its setting or obtrusive to views.
Vertical objects near this site include pine trees and palm trees that are from 10 feet to 58 feet tall. Buildings in this area are a maximum 36-feet in allowed height. The palm trees are similar in shape as this proposed monopalm. The monopalm structure on which the wireless antenna sits blends with nearby palm trees although those palm trees

are shorter.

5. The WCF shall blend into its setting and, to the extent that it is visible, not be intrusive on the landscape or obtrusive on views.

There are no existing poles or buildings greater than 36-feet in height. There is a 51-foot high pine tree located approximately 100-feet northeast of the applicant's lease site. Other tall trees exist in the area.

Community Involvement.

The applicant has sent 172 outreach letters to property owners within 750-feet of this site. Only contact for information has been received. No letters, calls or e-mails of support or opposition have been received.

Community Impact.

This proposal would result in an additional Wireless Communications Facility in this part of the community. The facility would be visible from surrounding streets and properties.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.

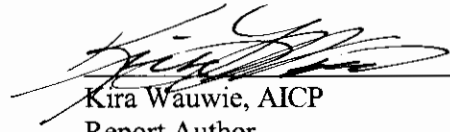
RESPONSIBLE
DEPT(S)

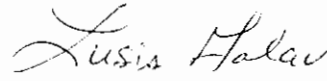
Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

Kira Wauwie, AICP
Project Coordination Manager
480-312-7061
E-mail: kwauwie@ScottsdaleAZ.gov

APPROVED BY


Kira Wauwie, AICP
Report Author


Lusia Galav, AICP
Current Planning Director

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Citizen Involvement
7. City Notification Map
8. Site Plan
9. Elevation Plan

Project Information:

Monarch Property
409 N. Scottsdale Rd.
Scottsdale, AZ 85257

APN: 131-16-141E

Proposed Use:

This application is for a proposed 55' monopalm intended to provide cellular service to the people in this area, with minimum visual impact. The related equipment will be located below the monopalm, inside a proposed 14'2" by 26'7" ground lease area with an 8' tall CMU wall. The wall of the ground lease area will be textured and painted to match the existing trash enclosure that is next to the proposed site. The color will be mixed on site during the installation so it will match exactly to the existing enclosure. Attached is a picture of the existing trash enclosure that was originally submitted so a visual reference can be made of the color. T-Mobile will not maintain the existing trees that are around the proposed site.

Current zoning: C-3

Zoning to North: R-5

Zoning to East: R-5

Zoning to South: C-2

Zoning to West: C-1

Narrative:

The proposed site is necessary to handle the capacity of wireless phone calls in the area. In addition, this site will incorporate the new E-911 call tracking antennas as mandated by the FCC.

The site will require one technician on a once per month visit after construction for maintenance. The proposed project will not utilize connection to any water system, refuse collection, or sewer system.

The property is located on the northeast corner of Scottsdale Rd. and McKellips. The related ground equipment will be located beneath the monopalm in an 8' CMU wall, thus screening the equipment from Scottsdale Rd. and McKellips.

This development will not affect any vehicular or pedestrian patterns. The communication site does not emit any odor, dust, gas, noise, vibration, smoke, heat or glare. The RF emissions from this site are well within FCC guidelines for a digital PCS communication site.

Respectfully submitted,

Rulon Anderson
T-Mobile

24-UP-2005
January 18, 2006

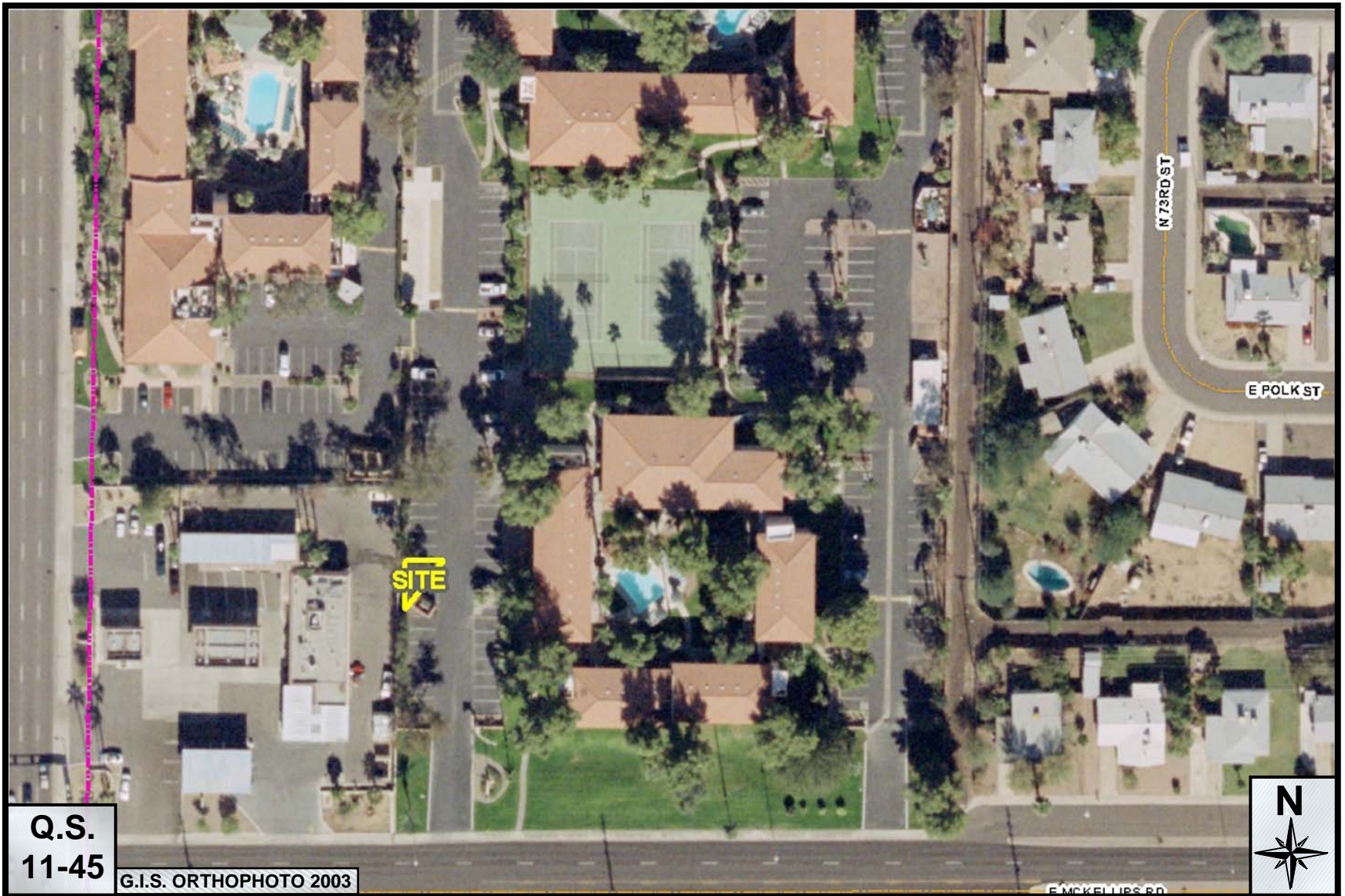
ATTACHMENT #1



Monarch Property -New Monopalm Cell Site

24-UP-2005

ATTACHMENT #2



Q.S.
11-45

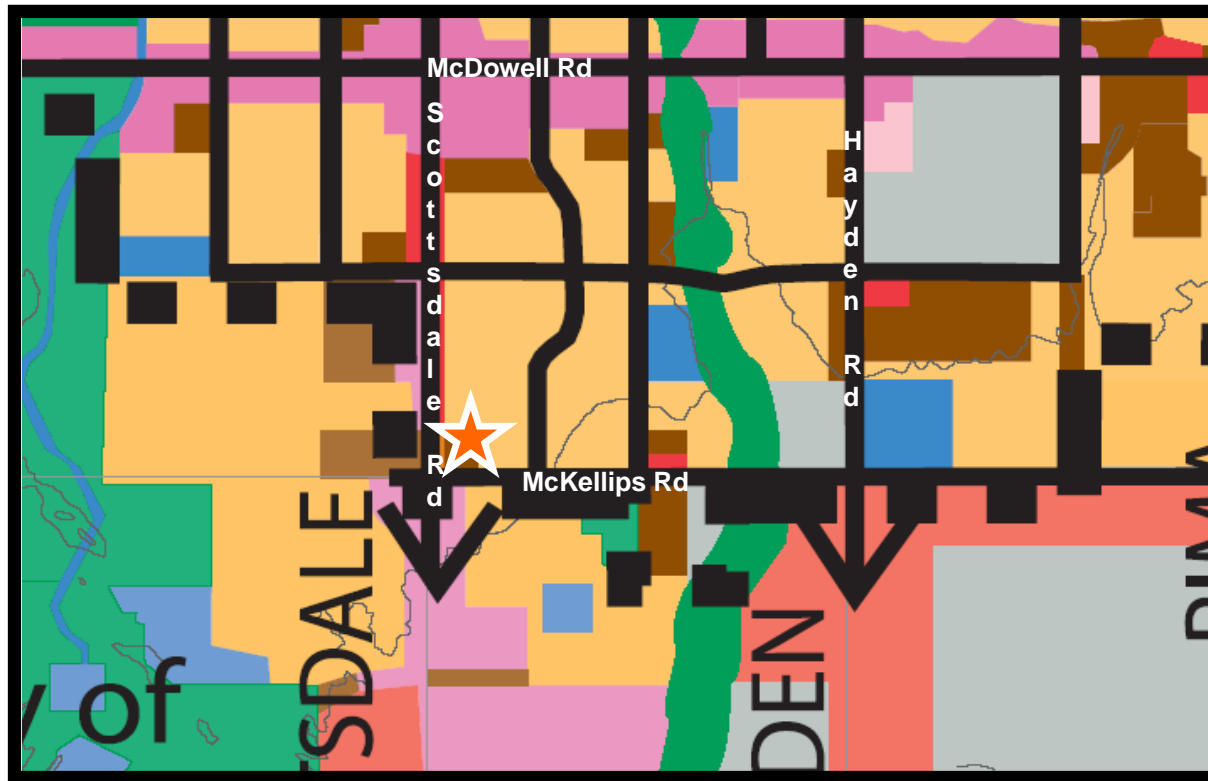
G.I.S. ORTHOPHOTO 2003

Monarch Property -New Monopalm Cell Site

24-UP-2005

ATTACHMENT #2A

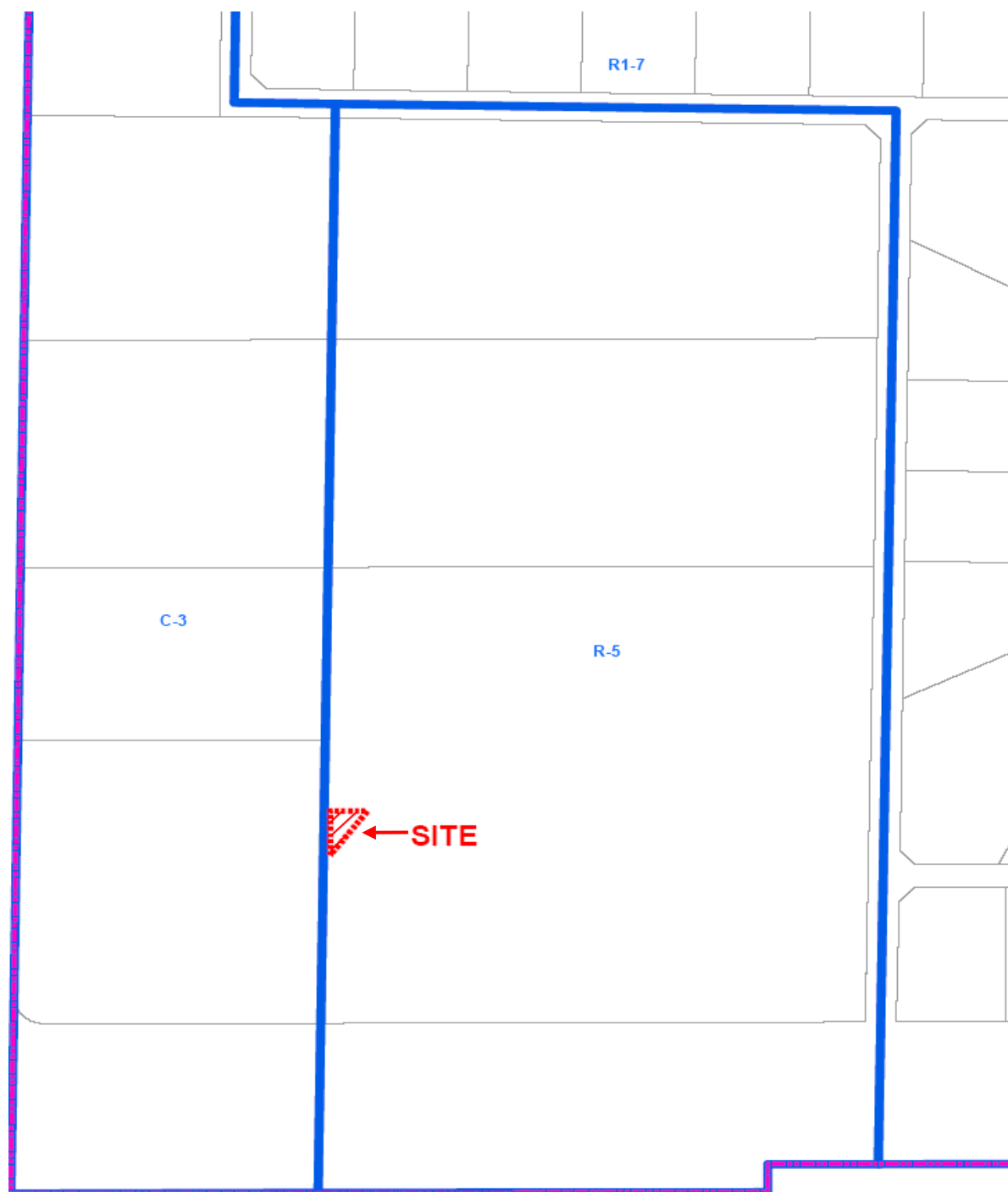
General Plan



24-UP-2005
ATTACHMENT #3

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of May 2004
revised to reflect General Plan amendments through June 2004

Zoning Map



24-UP-2005
ATTACHMENT #4

STIPULATIONS FOR CASE 24-UP-2005

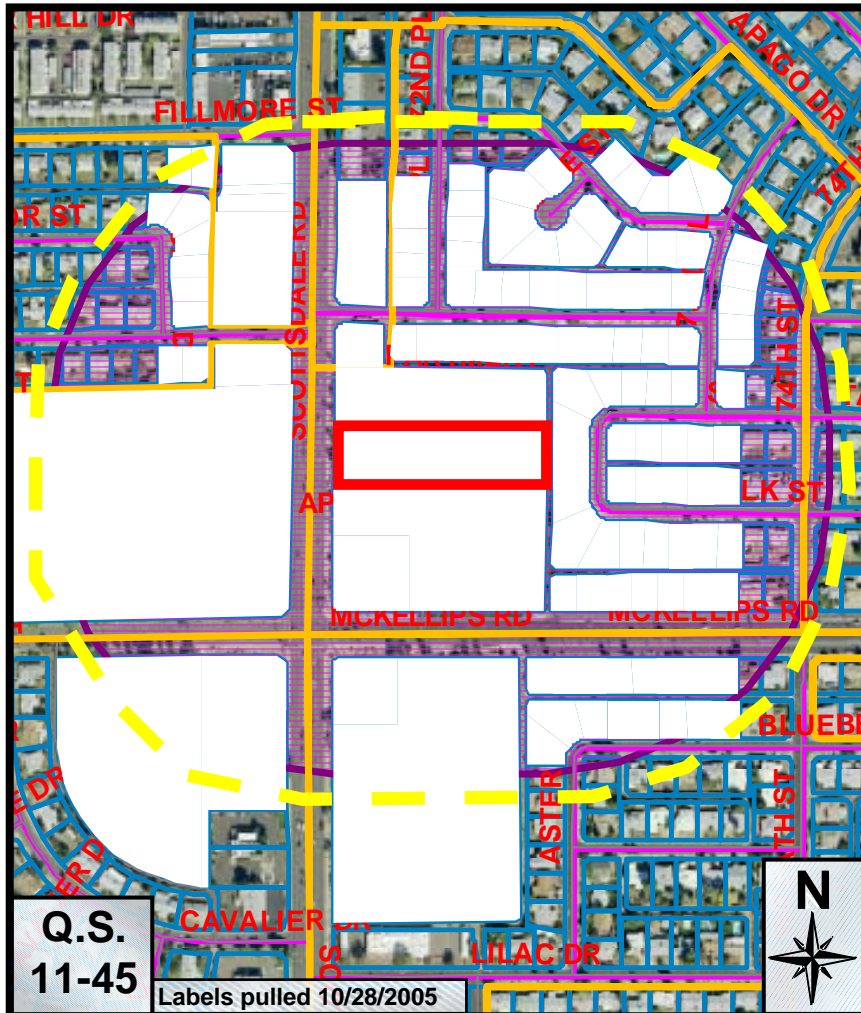
PLANNING/ DEVELOPMENT

1. **CONFORMANCE TO DEVELOPMENT SUBMITTAL.** Development shall conform to the elevation plan and site plan submitted by T-Mobile with a city-received date of 1/18/06. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **EXPIRATION OF USE PERMIT AFTER FIVE (5) YEARS.** If the applicant wishes to continue this use, within ninety days before the expiration of this Use Permit, the applicant shall file an application to review and extend this Use Permit. This review shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for this Use Permit. If a new Use Permit is not granted, the applicant shall be responsible for the removal of the facility.

Monarch Property – New Monopalm Cell Site
(24-UP-2005)
Citizen Involvement
Attachment #6

The above attachments are on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

City Notifications – Mailing List Selection Map



Map Legend:

 Site Boundary

 Properties within 750 feet

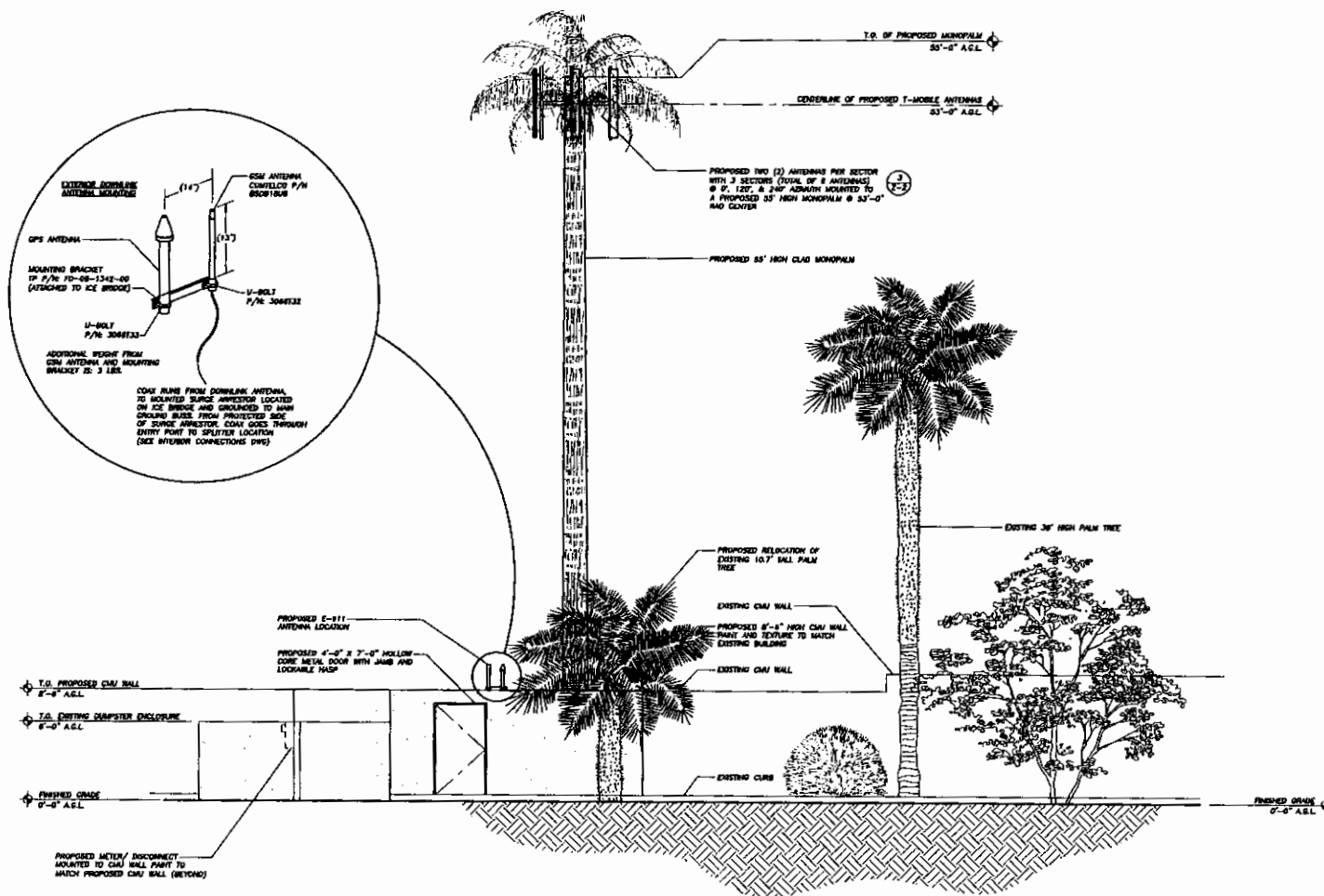
Additional Notifications:

- Interested Parties List
- Adjacent HOAs

**Monarch Property -New Monopalm
Cell Site**

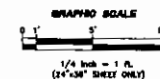
24-UP-2005

ATTACHMENT #7



ATTACHMENT #9

24-UP-2005
January 18, 2006



EAST ELEVATION

T-Mobile
Verizon Wireless T-Mobile Corporation, a subsidiary of Verizon Wireless

2001 W. BROADWAY RD., TEMPE, ARIZONA 85282
PHONE: (602) 943-3000 FAX: (602) 943-3003

PLANS PREPARED BY:



Communication Services, Inc.

2101 East Broadway Road, Suite 217, Tempe, AZ 85282
Voice: 480.960.8888 Fax: 480.960.8818

NO.	DATE	DESCRIPTION	BY
1	1/13/06	PRELIMINARY	JRS
2	1/17/06	SUBMITTAL	JRS

PROJECT INFORMATION
10-1000

PH10233D

**MONARCH
PROPERTY**

408 N. SCOTTSDALE RD
SCOTTSDALE, AZ 85207

SHEET TITLE
ELEVATION

SHEET NUMBER
Z-3

APPROVAL BLOCK